

October 23, 2013



Key Findings:

- The building permitting process is complex and varies across the many local jurisdictions of Sangamon County.
- In attempting to consider options for combining or streamlining aspects of this process, the CEC developed a preliminary working understanding or overview of the process.
- However, the CEC found that the systems in place for various jurisdictions' building permitting processes are too disparate and complex to allow for knowledge or management of flaws and exceptions in the system.
- Some nationwide jurisdictions have implemented project tracking systems with positive results, but these systems are typically costly for jurisdictions involved.
- In response to these limitations, the CEC recommends that local jurisdictions involved in the building permitting process endeavor to document their permitting processes and consider implementing a combined project tracking software or a structure for system management.

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Citizens' Efficiency Commission Recommendation: Building Permitting System Review and Management

Introduction

This report represents a formal recommendation by the Citizens' Efficiency Commission (CEC). Members of the CEC and its research staff have verified information contained in this report. The Commission expresses its hope that relevant local leaders will review the recommendation and take strides toward its implementation.

In light of limitations encountered in its research process, the CEC recommends that local jurisdictions involved in the building permitting process endeavor to document their permitting processes and consider implementing a combined project tracking software system or a structure for system management.

The Commission is prepared to provide assistance to the greatest extent possible for the review and implementation of these recommendations. The CEC may be interested in further efficiency considerations that develop based on this advisory report.

Background Information

At its initial public input meetings in 2012, the CEC received a request to examine the possibility of standardizing the building codes in smaller municipalities in Sangamon County. The Community Development Committee of the CEC first examined this issue by developing an understanding related to existing code adoption and enforcement from municipal mayor/village president interviews conducted by the CEC's village appointee, Commissioner Robert Plunk.

As the CEC proceeded in its research, it found that building codes, where in existence, are more or less standardized throughout the region due to the use of the International Building Code, although not all jurisdictions adopt this code in its entirety. Although further standardization across jurisdictions and more complete adoption of codes throughout the county may ultimately be of benefit in maintaining and improving property values as well as public safety, during its research process the Community Development Committee gradually found it beneficial to transfer its focus to the building permitting process.

The CEC was aware that varying requirements and deadlines exist in local jurisdictions' permitting process, and also that this process can have considerable potential to impact or delay development projects. The CEC ultimately found that, while concerns exist related to the process of building permitting, existing systems are too disparate and complex to fully and transparently articulate and understand their flaws in a manner useful for the CEC's typical recommendation process. This problem identification process ultimately generated the CEC's recommendation, and will be further described below in support of the recommendation.



Upon the completion of preliminary research, the Community Development Committee presented the following finding to the CEC at its September 2012 meeting:

The Community Development Committee has received public indication that the building codes and permitting or development processes utilized by various jurisdictions in Sangamon County could benefit from increased transparency, uniformity, and accessibility. After preliminary review, the committee notes that numerous alternatives may exist for tracking, standardizing, and otherwise streamlining the involvement of local governments in the development process. The committee requests the full support of the Commission to further examine these alternatives with the goal of recommending which, if any, would be most beneficial in improving the current processes utilized locally.

Efficiency Research Questions

Upon approval of this finding, as it pursued its research related to this finding, the CEC asked questions such as:

- How do jurisdictions in Sangamon County define building codes and the building permitting process?
- Do standardized building codes exist in Sangamon County, and if not, would they lead to increased efficiencies in local government?
- How does the land development process in Sangamon County function?
- What is required to receive a building permit for various types of projects?
- What defines the building permitting process?
- Where, if anywhere, do inefficiencies exist within this process?
- What might be done to increase the efficiency of this process?

Overview of Existing Services

The zoning, land development, and building processes are complex ones that, in many jurisdictions in Sangamon County, involve numerous governmental agencies and actors. Each plays a role in ensuring that building and development projects come to completion in safe, effective and well-conceived ways. Their roles vary based upon the project type (e.g., nature of the anticipated land use, such as residential or commercial, size of project, potential impact on transportation), and the compliance of the project with permitted uses for the types of development planned. To provide some distinction as to the various processes involved, zoning provides regulation for land use and aspects of a property and its structures, while land development procedures deal with the regulatory aspects of the land subdivision process. Building permitting and codes are oriented toward ensuring that structures are constructed to a safe and appropriate standard that fits their intended uses.

The type of project most citizens readily associate with building permits are those adding minor structures, such as garages or sheds, to an existing residential property. Given a situation in which land is already subdivided and its intended use is consistent with permitted uses and other conditions specified under the property's zoning classification, residents can move forward through the normal building permit process. However, in some jurisdictions even this normal, minimal process requires a great deal of interaction with a complicated set of governmental entities.

Those who interact most frequently with the land subdivision and zoning process, however, include the development community responsible for commercial and large-scale residential



development. For larger development projects that run the full gamut from zoning petitions to land subdivision regulation to building, the process requires considerable time and investment by both the public and private sectors.

In order to narrow this research spectrum, the CEC first considered building codes specifically as described above, but then proceeded to examine in further detail the building permit process.

Building Safety & Building Codes

The entire process related to building inspections and permitting exists to promote improved public safety through sound structures. While local governments are given the mission of promoting public safety through these means, at times this core mission can come into conflict with the aims expressed by specific groups among their constituencies, that wish to develop properties more quickly or with a greater profit margin. Local governments are given the challenging task of balancing these objectives, and a building code is one tool that works toward cultivating increased public safety.

Additionally, building codes are an important consideration in local government efficiency because quality residential and commercial structures contribute to more stable development patterns and potentially increase the value of property in a community. More importantly, building codes also provide community benefits such as reducing potential hazards of unsafe construction, protecting public health and local wealth, and creating minimum safety standards. Since building codes can assist in maintaining and increasing property values as well as helping to ensure that a structure is safe, undergoing a permitting and inspection process related to these codes can increase the likelihood that property insurers will cover a project.¹

When discussing building codes in this recommendation, the CEC is referring to both commercial and residential requirements for property construction and maintenance. The Illinois Building Commission Act defines building codes as “any municipal or county ordinance or resolution regulating the construction and maintenance of all structures within the municipality or county.”²

The issue of non-uniform code adoption and enforcement in Sangamon County came to the CEC's attention because of an incident in the Village of Mechanicsburg in the mid-2000s. In this situation, a number of residences in a newly developed subdivision had issues with faulty electric wiring and settling foundations, which caused concerns with home valuation.³ Although this situation evokes the importance of building codes, many local governments indicated that they have limited interest in adopting local codes.⁴

Implicit in the conversation on code adoption is the question of enforcement. Building code enforcement includes the inspection of a building project by a qualified local building inspector, and the certification that the building project is code-compliant at all necessary stages of the building process. Enforcement can also include the issuance of citations or the halting or delaying of construction or occupancy based on instances of non-compliance. Building code enforcement also includes the approval of building permit applications as related to code compliance.

¹ International Code Council. “The Benefits of Building Permits.”

² 20 ILCS 3918/55.

³ CEC Interview with Doug Trew, former Mayor, Village of Mechanicsburg (October 4, 2012).

⁴ CEC discussion with Regional Leadership Council (October 29, 2012).



Effective in 2010, Illinois Compiled Statute mandates that commercial inspections by a public or private entity occur for new commercial structures in all non-building code jurisdictions (Public Act 096-0704). This provision applies even to municipalities in Sangamon County that have not adopted building codes. The inspector must certify that the commercial building in the non-building code jurisdiction meets Capital Development Board standards, including the 2006 or later International Building Code, the International Existing Building Code, the International Property Maintenance Code, and the 2008 or later National Electric Code. However, some local governments have not yet developed inspection and enforcement processes to meet the demands of this mandate.

Current Local Status

Not all municipalities in Sangamon County have adopted and enforce building codes. In discussions with leaders of local municipalities, the CEC developed a tentative understanding of where in Sangamon County building codes are currently adopted and enforced. A blended system often exists, wherein some municipalities have adopted the International Building Code for residential or commercial development with or without modifications, the majority has property maintenance codes, and several have agreements or are in conversation related to code enforcement.⁵

Although the CEC notes that some concerns exist related to lack of building code adoption and enforcement, it found that this matter is a local policy issue, which, while it would influence development practices in some areas, is not central to efficiency questions around the development and building process.

Building Permitting Process

The issue of building codes intersects with the building permitting process because many types of building permits require inspections to ensure that projects comply with existing codes. The building permitting process comes into play after a project has cleared both the zoning and land subdivision process if necessary. However, structural aspects required under a property's zoning may inform the inspections required in for a building permit.

The building permitting process is highly complex and varied, and represents only one portion of the broader development process. The CEC found that a Springfield-Sangamon County Regional Planning Commission (SSCRPC) resource, *A Citizens' Guide to Development Planning and Review*, was helpful in providing a general understanding of the development and review processes.⁶

Existing Government Services

As it pursued its research, the CEC found it difficult to capture a complete picture of the building permitting process. This is in large part due to the variations in process across the different jurisdictions in the county. A sample list of inspection requirements for Sangamon County is provided for illustrative purposes in Figure 1, below. This extensive listing applies to a single jurisdiction and therefore does not necessarily mirror the processes for the City of

⁵ Personal communication from Jim Stone, Sangamon County Department of Public Health (February 1, 2011).

⁶ SSCRPC (2011). "A Citizens' Guide to Development Planning and Review." Available at: http://www.co.sangamon.il.us/Departments/RegionalPlanning/documents/Land_Development_Subdivision/Citizens%20Guide2%20Color%20Version.pdf



Springfield or other municipalities, or for all types of development projects. However, it illustrates the complex number of steps and the potential for confusion in developing or building on property.

As discussed previously, one key group impacted by the building permitting process is the development community. In order to develop a greater understanding of difficulties in the permitting process, the Community Development Committee of the CEC met with representatives of the Homebuilders Association.⁷ In this conversation, the CEC learned that Springfield and Sangamon County, the primary entities involved in permitting locally, had recently lost staff due to attrition or budgetary shortfalls, creating some delays in the process. The Homebuilders Association ultimately expressed that its primary concern is the length of time needed for a permit to travel through the permitting process, though it did not specify which jurisdictions' systems create greatest cause for concern. The group indicated that in the permitting process, delays caused through scheduling or other challenges can lead to losses in profit or other negative impacts on development. The group's representatives noted that commercial permits in the City travel through ten departments and residential permits through three as the normal course of action, and expressed concerns related to process transparency. However, no single, targeted portion of the process could be identified as an area in which systematic inefficiencies occur. Some local government officials also noted that, at times, permits run into issues because of incomplete application information submitted by the developer.⁸ The City of Springfield also notes that they handle a large volume of permits that require numerous individual reviews.⁹ However, there is little opportunity to track where in the system breakdowns or issues occur, due to limited ability to track projects. The CEC could not acquire adequate information to support or disprove assumptions that permitting processes in local jurisdictions take more or less time than those in other jurisdictions.

The CEC notes that some local governments, most notably the City of Springfield and Sangamon County, are working to implement tracking systems or software for various components of the permitting process. The City, for instance, has a basic permit tracking device on its website currently and is hoping to continue such efforts.¹⁰ However, these jurisdictions' efforts are not all targeted toward a single system and may not all interface with one another.¹¹ It may be of benefit to review opportunities for increased cooperation in this respect, as will be further discussed below.

⁷ CEC Interview with Dean Graven and Steve Sturm, Homebuilders Association (March 14, 2013).

⁸ Personal communication from Mike Ashenfelter, former Building Inspector, Sangamon County Department of Public Health (October 8, 2013).

⁹ Personal communication from John Sadowski, Building Department Manager, City of Springfield (October 21, 2013).

¹⁰ Personal communication from John Sadowski, Building Department Manager, City of Springfield (October 21, 2013).

¹¹ Personal communication from Mike Ashenfelter, former Building Inspector, Sangamon County Department of Public Health (October 8, 2013).

Figure 1: Required Inspections in Sangamon County, *Sangamon County Zoning and Building Safety Application for Plan Examination and Building Permit*

REQUIRED INSPECTIONS

No work shall begin until you have received your permit. In addition, prior to start of any work or issuance of any permits for new structures, you must have your sewage disposal system approved by the Sangamon County Public Health Department (535-3100).

- 1 Zoning inspection after construction staked out. A permit will be issued and work may begin after a zoning inspection has been done and approved and all required submissions have been received.
- 2 Footings inspection **before** pouring footings
- 3 Plumbing Ground Work inspection if applicable **before** concrete floor poured
- 4 Electrical Ground Work inspection if applicable **before** concrete floor poured
- 5 Plumbing Rough-in, Electrical Rough-in, Mechanical Rough-in inspections **before** sheetrock or plaster walls and ceilings installed
- 6 Electrical service entrance.
- 7 Fireplace inspection **before** sheetrock or plaster walls and ceilings installed
- 8 Framing inspection **before** sheetrock or plaster and insulation installed
- 9 Insulation inspection **before** sheetrock or plaster installation
- 10 Final Plumbing, Electrical, Mechanical and Building inspections when all systems are installed and functioning as designed. Plumbing fixtures installed and fully operational, Electrical devices, (lighting, smoke detectors etc.) installed and fully operational, Mechanical equipment, (furnaces, exhaust fans etc.) installed and fully operational, Doors, windows and related hardware installed and fully operational.
- 11 Floor covering, painting and cosmetic finishes installations not required for final inspections.
- 12 Re-inspections for corrective work must be completed prior to covering or concealing.
- 13 Other inspections may be required for your situation. Please contact this office if you are not sure or have any questions. Phone # 753-6760

Best Practices

As indicated above, the CEC initially looked into the question of building codes, and found that an accessible practice for many local governments was contracting with the Sangamon County Department of Public Health (SCDPH, DPH) for code enforcement through inspections. The SCDPH has made available to Sangamon County municipalities a program for code inspection and enforcement on a fee-for-service basis. By intergovernmental agreement, the DPH will enforce residential and/or commercial codes related to the "construction, alteration, maintenance, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition" of structures.¹² This does not include responsibility for the zoning process, but the DPH will provide Property Maintenance Code inspections at the request of the municipal entity.

In order to enter into such an intergovernmental agreement, the County and DPH require that the municipality involved have adopted the codes adopted by Sangamon County. The DPH is required to report to the municipality each time it approves a building permit

¹² See Appendix A, "Intergovernmental Agreement between County of Sangamon and the city/Village of ____ Regarding the Enforcement of Residential Building Codes."



application under this enforcement agreement. Sample intergovernmental agreements for County Health Department commercial and residential code enforcement are attached as Appendix A.

As an alternative best practice, some local governments have implemented private inspectors who work on contract to provide this service. For example, Columbia, Missouri, has developed a certification process wherein private inspectors can provide inspections at cost to the residents, in place of city inspectors. This benefits residents as private inspectors can be available after hours to help speed up the permitting process. The city has managed to reduce their force by two inspectors through attrition, and municipal inspectors conduct quality audits on the private inspectors' work.¹³ The quality audits help address a concern often voiced associated with this sort of privatization. The concern is that the private inspectors, who are effectively the employees of the property owner rather than the regulating municipality, may not provide as critical an inspection as a publicly employed inspector might, allowing potentially unsafe conditions in order to appease his or her "employer".

Finally, in terms of the permitting process, the CEC learned that the City of Rockford worked to develop a shared "one-stop" permitting system for a number of city licenses and permits, particularly those related to the building permitting processes. After a recommendation from an efficiency group, the City invested substantial time and resources to develop software systems in order to upgrade permitting and code enforcement services. This system worked to integrate building, zoning and enforcement, and inspections.¹⁴ As another example, the City of Kiawah Island, South Carolina, recently contracted with a private vendor already utilized on a regional basis in their area. By developing a "hub-and-spokes" model with the vendor, Kiawah gained the ability to contract out formal aspects of administration and enforcement while still maintaining a higher degree of local control over projects at its regional "hub" office.¹⁵

The CEC also heard a presentation from another outside vendor offering similar services, but again found that the software required may be cost prohibitive for a single jurisdiction.¹⁶ Although a collaborative effort at software procurement may alleviate some of these difficulties, the vendor indicated that parallel structures for the various jurisdictions' processes at minimum would likely be essential to a functioning system.

Alternatives

Typically, the CEC presents a number of alternatives as it prepares a recommendation for local governments' consideration. In this instance, however, the CEC did not feel it had adequate resources to fully address permitting issues. Although it attempted to respond to public complaints and concerns about process inefficiency by reviewing building and development code and permitting systems, it was unable to adequately identify how and why this process is frequently considered inefficient.

¹³ EfficientGov.Com (July 31, 2012). "Supplementing Inspectors with Private Contractors." Available at: <http://efficientgov.com/blog/2012/07/31/supplementing-inspectors-with-private-contractors/>.

¹⁴ Curry, Corina. (November 3, 2011). "Part of the Plan." The Rockford Register Star. Available at: <http://www.rstar.com/x669412965/Part-of-the-plan>.

¹⁵ SAFEbuilt (2013). "SAFEbuilt'S Regionalized Hub Model: The Best of Both Worlds." Available at: <http://www.safebuilt.com/why-safebuilt/case-studies.php>.

¹⁶ Presentation to the CEC from Paladin Data Systems (May 9, 2013).



However, this fact in and of itself provides impetus for a CEC recommendation. In order to manage for results, the CEC suggests that local jurisdictions need a complete understanding of their systems. To manage exceptions and flaws in a system, rather than merely handling a process as a whole, the CEC finds that local jurisdictions need to develop additional information related to the functions of their systems.

The CEC found this research area indicative of a number of themes that it typically finds in its work. The first is that local governments often have difficulty measuring and tracking performance. Under the current system, the number of departments and employees interacting with a building permit, inspecting properties, and otherwise introducing complexity to a system without a defined point of entry or workflow makes it difficult to identify whether, where, and why delays are occurring.

Secondly, in some situations, cost-saving measures already in place in local governments have adverse effects on their processes. For example, as in the best practice cited above, reductions in staff at both the City of Springfield and Sangamon County have led these jurisdictions to pursue alternative staffing arrangements. The County, for example, hires private inspectors to manage some inspection needs. However, this leads to scheduling complications and can potentially produce delays from the perspective of some developers, as most contracting inspectors review only a single portion of the building and do not comprehensively inspect lighting, plumbing, electricity, etc.¹⁷ The CEC notes that at times, local governments may need to invest resources that they simply do not have available in order to pursue an opportunity that could lead to long-term efficiency. Given these difficulties and limitations, the CEC developed a preliminary recommendation on the building permitting process only.

Recommendations

In light of this research, the CEC recommends that local jurisdictions involved in the building permitting process endeavor to document their permitting processes and consider implementing a combined project tracking software system or a structure for system management.

The benefits of implementing this recommendation include:

- Increased consistency in expectations for building and development projects.
- Increased ability to identify flaws and exceptions in the permitting process and to manage the mitigation of these issues.
- Increased ability to evaluate cost efficiency of an automated tracking system or software.
- Potentially improved public safety due to more consistent and quality code enforcement and contractor work.

As in every CEC recommendation, there are many challenges implicit in the implementation process. The primary challenges for this recommendation include the high cost of most automated tracking systems and the desire for local control over the permitting process. Land use and development are powers of primary importance to most local governments, and some local mayors expressed that they did not desire to make their procedures parallel in a manner that would likely be necessary for shared project tracking.

¹⁷ CEC Interview with Dean Graven and Steve Sturm, Homebuilders Association (March 14, 2013).



Moreover, automated system costs are substantial, and without a more thorough understanding of the processes in place, developing a tracking system that is comprehensive and improves efficiency would be difficult. It is also challenging for the CEC to estimate whether any efficiencies in the process would be gained from such a system.

Steps toward Implementation

In order to implement this recommendation, the CEC recommends that the following course of action would be beneficial:

- Identify local jurisdictions that are involved in the permitting process.
- Develop a working group to establish and outline the existing processes and consider where these processes might be made more parallel.
- Review these systems to explore the benefits of a project tracking software or other automated management system.

The CEC offers its support for these implementation efforts. If the CEC can provide any further assistance in facilitating efforts toward cooperation, it would be pleased to do so.

As has been the case at multiple points in the CEC's work, some research issues are beyond the capability of a volunteer citizen body to fully understand and to develop a complete and detailed recommendation. The CEC suggests that a group with the capacity to continue in its research on this and other topics may be of benefit as it nears the completion of its term. With respect to this research issue and others addressed throughout its work, the CEC has presented a recommendation that represents only a temporary or transitional step toward improved local government systems. Ultimately, the region may benefit from considering more uniformity in inspections and permitting processes, and potentially a combined regional department responsible for these functions.

Respectfully submitted,

Hon. Karen Hasara, Chair
on behalf of the
Citizens' Efficiency Commission
for Sangamon County



Appendix A: Sample Code Enforcement Intergovernmental Agreement

INTERGOVERNMENTAL AGREEMENT BETWEEN COUNTY OF SANGAMON AND THE CITY/VILLAGE OF REGARDING ENFORCEMENT OF RESIDENTIAL BUILDING CODES

WHEREAS, Section 10 of Article 7 of the 1970 Constitution of the State of Illinois, and Section 3 of the Intergovernmental Cooperation Act (5 ILSC 220/3) provide that Sangamon County may enter into an intergovernmental agreement with another unit of local government to obtain or share services; and

WHEREAS, both Sangamon County, Illinois (“County”) and the (“Village”) have adopted the following codes:

2006 International Residential Code;
2006 International Property Maintenance Code;
1997 Illinois Accessibility Code or most current edition by state statute;
2004 Illinois Plumbing Code or the most current edition by statute;
2005 National Electrical Code;
2009 International Energy Conservation Code
(hereinafter known as “the Code”); and

WHEREAS, the County has the staff and resources to enforce the Code through its Building and Safety Section of the Sangamon County Department of Public Health (“Department”), but the City/Village lacks the staff and resources to enforce the Code; and,

WHEREAS, the City/Village of (hereinafter “Requesting Entity”) has made a formal request to the Sangamon County Department of Public Health seeking such assistance;

THEREFORE, IT IS HEREBY AGREED as follows:

1. The County of Sangamon, through the Department, shall enforce the Code within the corporate limits of the Village pertaining solely to the construction, alteration, maintenance, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above-grade in height with a separate means of egress and their accessory structures.
2. The Requesting Entity shall issue, upon payment of applicable zoning fees to the City/Village, a City/Village Zoning Permit (“VZP”) that will show that the applicant has filed with the City/Village and has obtained zoning approval. The Department shall not be responsible for zoning inspections as they pertain to the City/Village VZP.



3. Upon payment of the City/Village's zoning fees and the issuance of a City/Village VZP, the Village shall then refer all construction pertaining to residential building applicants to the Department, which shall process all applications other than VZP, make all inspections, excepting required City/Village zoning inspections, and charge all fees, other than a VZP zoning fee, as if the property were in an unincorporated area of the County.
4. In addition to processing building permit applications and performing all work as aforementioned in this agreement, the Department shall perform Property Maintenance Code inspection services within the City/Village as requested by the City/Village Official in charge. In such event, the Department shall charge the City/Village a fee of One Hundred and Twenty Five Dollars (\$125.00) payable to the Department. This fee is subject to change should the Department amend its current fee scale. The Department would then be responsible for conducting the Property Maintenance Code inspections. The Department would inform the City/Village of any Property Maintenance Violations, and the City/Village would refer the Owner of the property to the Department if any permits should be needed for correction of the violations.
5. The County shall be entitled to keep all fees generated pursuant to this Agreement other than the fees pertaining to the Village's VZP.
6. During the term of this Agreement, whenever the County adopts a newer version of the Code, it shall notify the Village, which shall promptly adopt the same version of the Code.
7. The Department shall report to the Village each time it approves a building permit application, providing the Village with the address of the building, the name of the owner, and a summary description of the building or structure to be erected or remodeled.
8. The Requesting entity agrees to defend, indemnify and hold harmless the County, its officers, agents and employees, from and against any and all claims, liabilities, actions, demands, judgments, losses, costs, expenses (including reasonable attorneys' fees), suits, actions or damages that may arise out of the execution of this work.
9. This agreement may be executed in counterparts.
10. This agreement is terminable at will by either party on 10 days written notice to the other.

CITY/VILLAGE OF _____, ILLINOIS

BY: _____ DATE: _____
Its President or Mayor

Attest:

BY: _____
City/Village Secretary / Clerk

COUNTY OF SANGAMON, ILLINOIS

BY: _____ DATE: _____
Sangamon County Chairman

Attest:

BY: _____ DATE: _____
Director of Public Health